

LAW OFFICES
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.
700 Hansen Way
Palo Alto, California 94304

Telephone
(650) 849-6600

Facsimile
(650) 849-6666

FACSIMILE TRANSMITTAL

TO:

FROM:

Name: Examiner W. Moore

Name: M. Paul Barker

Firm: Patent and Trademark Office
Group Art Unit 1814

Phone No.: (650) 849-6620

Fax No.: (703) 308-0294

Fax No. Verified by: *[Signature]*

Phone No.: (703) 308-0583

No. of Pages (incl. this page): 3

Subject: Serial No. 08/485,438

Date: August 10, 1998

Confirmation Copy To Follow: Yes ☐ No ☒

Message: In re Application of : Stephen EISENBERG et al.
Serial No.: 08/485,438
Filed: June 7, 1995
For: INHIBITION OF RETROVIRUS INFECTION
Attorney Docket No. 04189.0084-03000

Enclosure: Clarification of Petition Under 37 C.F.R. § 1.48 (August 1998)

I hereby certify that this **Clarification of Petition Under 37 C.F.R. § 1.48** is being filed, via facsimile to (703) 308-0294 in the United States Patent and Trademark Office on August 10, 1998.


Sandra D. Hunter

If there is a problem with this transmission, notify fax room at (650) 849-6647 or the sender at the number above.

This facsimile is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If you have received this facsimile in error, please notify the sender immediately by telephone (collect), and return the original message by first-class mail to the above address.

PATENT

Attorney Docket No. 4189.0084.03000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Stephen EISENBERG et al.)
)
Serial No.: 08/485,438) Group Art Unit: 1814
)
Filed: June 7, 1995) Examiner: W. Moore
)
For: INHIBITION OF RETROVIRUS)
INFECTION)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CLARIFICATION OF PETITION UNDER 37 C.F.R. § 1.48

A Petition under 37 C.F.R. § 1.48 (Petition) was submitted in this application on July 10, 1998. The petition requested removal of David J. Dripps as an inventor. This Clarification is filed to clarify a statement in the Petition.

Specifically, in the Petition, the undersigned mistakenly indicated that the Statement of David J. Dripps (Dripps Statement) stated that Dripps is not an inventor of the subject matter of claims 12 and 13. This mistake of the undersigned was not made with any intent to deceive, and was brought to the undersigned's attention by Examiner Moore in a telephone message last week. Although David Dripps indicated in a telephone discussion with the undersigned that he was not an inventor of claims 12 and 13, the Dripps Statement did not address this point, since the Dripps Statement did not need to address claims 12 and 13. Claims 12 and 13 did not need to be addressed, since the change of inventorship dealt with the initially-filed claims and claims 12 and 13

LAW OFFICES

FINNEGAN, HENDERSON,
KARABOW, GARRETT
& DUNN, L.L.P.
VILLAGE RESEARCH PARK
700 HANSON WAY
LO ALTO, CALIF. 94304
650-849-6600

Serial No. 08/485,438

were added subsequently during prosecution. Since Dripps was not an inventor initially, he need not address on the record the subject matter of claims that he was not involved in inventing and that were added subsequent to the initially-filed claims. In a telephone discussion on July 7, 1998, Examiner Moore agreed that the Dripps Statement need not address claims 12 and 13. This Clarification is submitted to clarify the record, and the undersigned apologizes for any confusion.

If the enclosed payment is insufficient or if any other fees are due in connection with the filing of this paper, please charge any such necessary fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.



M. Paul Barker
Registration No. 32,013

Dated: August 10, 1998

*** RX REPORT ***

RECEPTION OK

TX/RX NO	9719	
CONNECTION TEL		650 849 6666
SUBADDRESS		
CONNECTION ID		
ST. TIME	08/10 14:35	
USAGE T	01'01	
PGS.	3	
RESULT	OK	